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4 **UNITED STATES DISTRICT COURT**

5 **DISTRICT OF NEVADA**

6 PATRICK S. DAVIS,

3:13-cv-00559-MMD-WGC

7 Plaintiff,

ORDER

8 v.

9 NEVADA, STATE OF, et. al.,

10 Defendants.

11 Plaintiff Patrick S. Davis filed his complaint on October 4, 2013. (Doc. # 1.)¹ Defendants
12 filed a motion to dismiss on November 6, 2013. (Doc. # 6.) Plaintiff filed a response to the
13 motion to dismiss on November 26, 2013. (Doc. # 8.) A reply in support of the motion was filed
14 by Defendants on December 4, 2013. (Doc. # 9.) The Defendants subsequently filed a motion for
15 protective order to stay discovery (Doc. # 10) and Plaintiff filed a motion for a discovery plan
16 and scheduling order (Doc. # 15).

17 The court undertook a "preliminary peek" of Defendants' motion and determined that a
18 discovery stay pending resolution of the motion to dismiss was warranted and granted
19 Defendants' motion to stay discovery in this respect. (Doc. # 21.) Discovery was stayed for a
20 period of ninety days, or until the motion to dismiss was resolved, whichever occurred first. (*Id.*)
21 Consequently, Plaintiff's motion for a discovery plan and scheduling order was denied without
22 prejudice. (Doc. # 22.)

23 With no resolution of the motion to dismiss at the expiration of the ninety days, the court
24 set the matter for a status conference. (*See* Doc. # 23.) A status conference was held on June 23,
25 2014, and the parties agreed the discovery stay should continue in place pending resolution of
26 Defendants' motion to dismiss. (*See* Doc. # 38.) Thus, the discovery stay was extended to
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¹ Refers to court's docket number.

1 September 19, 2014, or until the motion to dismiss was resolved, whichever occurred first. (Doc.
2 # 37.)

3 As of September 19, 2014, Defendants' motion to dismiss has not been resolved;
4 therefore, good cause exists to extend the stay of discovery for an additional **ninety days, up to**
5 **and including December 18, 2014 OR until the motion to dismiss is resolved, whichever**
6 **occurs first.** If the motion has not been resolved by December 18, 2014, the court will enter
7 further orders as it deems necessary.

8 DATED: September 19, 2014.

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WILLIAM G. COBB
UNITED STATES DISTRICT JUDGE

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